IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 3168 of 1994

Between:

Y.Sremannarayana Murthy, S/o. Y.Anjaneya Chary,
Osmania University,Hyderabad, R/o. Hyderabad.

..... PETITIONER

AND

The Osmania University, rep.by it's Registrar,
Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction particularly one in the nature of writ of Mandamus declaring the action of the respondent in distinguishing the Cameraman working in Audio Visual Research Centre in the Osmania University, Hyderabad, Vis-a Vis other posts in the same University apart from other Universities especially where the University Grants Commissions is willing to fund the petitioner's salaries as wholly illegal, arbitrary, discriminatory and violative of Art.14&16 of the Constitution of India and further declaring that the petitioner is entitled to be paid the UGC pay scale from the date of his joining as cameraman.

For the Petitioner: MR.M.PANDURANGA RAO, ADVOCATE.

For the Respondent: MR.DEEPAK BHATTACHARJEE, (SC FOR OU)

The Court Made the Following:

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ORAL ORDER:

Heard both sides.

2. The whole grievance of the petitioner is that though he was given University Grants Commission (for brevity "the UGC") Scale that is applicable to the Cameramen in Audio Visual Research Centre, set up by University Grants Commission (UGC), the same was not being paid to him.

From the counter affidavit, it could be seen that since the pay scales of the technical staff of Audio Visual Research Centre as recommended by the UGC were not in conformity with that of the pay scales of the technical staff of Osmania University (for brevity "the University") and to overcome this anamoly, the University has proposed to award the nearest corresponding pay scale that is applicable to the staff of the University while camera men were being paid better scales than the UGC recommended scale. In view of the said fact to maintain uniformity, they fixed the pay scale of the petitioner in the nearest pay scale that is applicable in the University.

However, it is further stated in the counter-affidavit that upon the representations made by the petitioner, the University took up the cause of the petitioner and held deliberations resulting in issuance of the proceedings, dated 21-06-1997. According to the University, the petitioner along with two others were being paid UGC scales with effect from 06-06-1996. Now, the dispute remains only with regard to payment of UGC scale from the year 1994, the year in which the petitioner was recruited as a Cameraman in the Audio Visual Research Centre, till the date of actual implementation of UGC

scales. Much priority is required to pursue this problem in a better way and the best people in my considered opinion are the petitioner, the university and the UGC.

Having regard to the above said fact, I deem it fit to close the writ petition with a direction to the University to consider the representation, if any, made by the petitioner afresh as regards the application of UGC scales from the date of appointment of the petitioner till 06-06-1996, after taking up the issue with UGC.

It is needless to mention that both University and UGC would look into the dispute with pragmatic approach.

With the above directions, the wit petition is closed. No costs.

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D.S.R.VARMA, J

25-06-2004.

MJL

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Registrar, Osmania University, Hyderabad.

2.2 CD copies.